REMARKS

Claims 1, 3-8, 10-30, 33-37, 40, 41, 43-46, 50-59, and 64-66 are pending. Claims 1, 6, 8, 12, 21, 26, 30, 35, 37, 50, and 53-55 have been amended and claims 2, 9, 31, 32, 38, 39, 42, 47-49, and 60-63 have been canceled.

In the Office Action, the Examiner maintained all of the rejections in the Final Office Action. Applicants traverse these rejections for the following reasons.

The Sylvain publication serves as the primary reference in every rejection in the Office Action. Applicants have submitted with this paper a Rule 131 Declaration to swear behind and thus remove the Sylvain publication as a reference against the claims.

The Rule 131 Declaration sets forth evidence to show that (1) the inventions defined in the presently pending claims were conceived before the effective date (October 1, 2002) of the Sylvain publication and (2) due diligence in constructively reducing the invention to practice was exercised between a time just before the effective date of the Sylvain publication and the filing of the Korean applications to which the present invention claims priority under 35 USC § 119. The present U.S. application was filed within one-year of the filing date of the Korean applications. The statements in the Rule 131 are further accompanied by documentary evidence of prior conception and due diligence.

Applicants submit that the Rule 131 Declaration is sufficient to show that the Sylvain publication does not constitute prior art against the pending claims. With the removal of the Sylvain publication, Applicants submit that all the claims are in condition for allowance.

In addition to the Rule 131 Declaration, claim 1 has been amended to recite that "the first and second mobile terminals are subscriber terminals and wherein the call is re-established between the first and second mobile terminals through a signal path that does not pass through an intervening or repeating subscriber terminal." See, for example, Paragraphs [32]-[39] of the specification for support.

From these paragraphs and other portions of the specification, it is clear that the call and re-call is established between originating and receiving terminals through a base station of a subscriber-based mobile communication system. The call is not passed through any other subscriber terminal. In contrast, the Olds patent establishes a call between two subscriber terminals by routing the call through a series of intervening repeating subscriber terminals, labeled RSUs 24, 24', and 24". The Olds patent, therefore, does not teach or suggest the features added by amendment to claim 1.

Moreover, neither Olds nor any of the other references of record, whether taken alone or in combination, teach or suggest that the originating terminal transmits information indicative of low signal strength, and that the second mobile terminal monitors the signal strength of first mobile terminal after the call release and performs an automatic call connection operation to re-establish the call when the signal strength of the first mobile terminal exceeds a predetermined level. In addition, the feature that one of the first mobile terminal or second mobile terminal is the call originating terminal and the other of the first mobile terminal or second mobile terminal is the call receiving terminal is not taught or suggested.

Claims 6, 12, 21, 26, 30, 37, 40, and 50 have been amended to recite features similar to those added by amendment to claim 1. Accordingly, it is submitted that these claims and their dependent claims are allowable.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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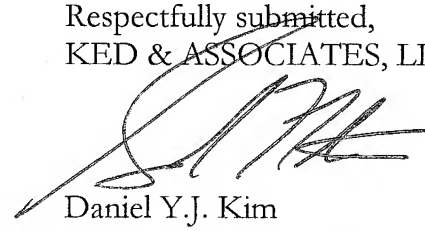

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